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THE HISTORY OF MARRIAGE.

THE HISTORY OF MARRIAGE.

In the profound and astonishing exposition of the Philosophy of History (written partly from the Babylonian, and partly from the Egyptian standpoint, but with a loftier inspiration than any that was ever known, either to the Babylonians or to the Egyptians) which has come down to us in the first ten chapters of the Book of Genesis (*the Bereshith*), we find the primitive *mankind*, living without the institution of marriage, and in utter promiscuity, clearly characterized as the *collective* personality of Adam; not Adam as he existed after Eve had been taken out of his side, but as he existed in his original unity of totality, on the sixth day of the creation, before the contradistinction of the sexes was reflectively noted and definitively indicated by express terms of human language.* Now, *to call by name* denotes, in the Shemitic use of words, *a characterization of essential nature.* It is written: "This is the book of the generations of *Adam.* In the day when Elohim created

* Eva (the collective *wife*), first appeared in the Garden of Eden, not only long after the original creation of men and women on the sixth day, but also long after the Creator had absolutely "rested on the seventh day from all the work he had made." Eva was not created at all: she was simply contradistinguished from Adam *quoad* Ish, and was characterized as *Isha—Isis.*

Adam, in the likeness of Elohim made he HIM (Heb. — *atho*); male and female created he THEM: and he blessed THEM (Heb. — *athm*); and he *called the name of* THEM, ADAM, in the day of the creating of THEM" (Gen. v. 1, 2). THEY were created male and female; and the name of THEM, taken collectively, without distinction of sex, is the collective name ADAM, — *mankind*. Adam was not the name of the first man; for there was no first man. Men and women were created simultaneously, in great numbers, sporadically. Adam was the name, not of the first individual man, but of the first *collective man*, — of the first human society. And, since the first human society comprised both men and women, Adam was male-female.

The true meaning of the name *Adam* is to be sought in the word *Athom*, the name of the oldest of the Egyptian gods.

The Egyptians worshipped the transfigured souls of their ancestors; and they reverenced him who was the first ancestor, on earth, of the human race, as being, in heaven, the pivot on which all human events turn. The Egyptian "*Book of the Dead*" * speaks of Athom as "the *old man* who is at On;" that is to say, as the first ancestor of mankind, and as having his special sanctuary at Heliopolis, the City of the Sun. The disembodied spirit of the dead Egyptian,

* A more or less complete copy of "The Book of the Dead" was placed under the arm of every properly embalmed mummy. Many copies of it have been found. Versions of it into English have been made by Birch and Osburn. French, Italian, and German versions of it have also been made. Nevertheless, notwithstanding the pains that have been taken by the interpreters, the book, as it is rendered into modern speech, is very enigmatic and obscure.

to whom the ritual serves as a guide-book in its journeyings, says, in the words of the ritual itself, when it reaches the abode of the gods, —

"My soul stands up square (perpendicular, plumb) to face its judge;
It is found true (level, horizontal) on the ground:
I do not, therefore, compute my justification in many parts."

From the Book of the Dead.

The disembodied soul also praises Athom, saying, —

"Athom (Adam) is the god alone in the firmament,
The sun in his rising; and when he rises, his rule begins.
He rises at Bubustis, where to-morrow's infant son is born.
I (Athom, Adam) am the great god creating myself.
The water in the Nuh (Noah) is the father of the gods.
Yesterday is Osiris; the morning is the sun.
The name of Osiris is the prophet of the sun.
The name of Osiris is the soul of the sun.
The name of Osiris is the self-begotten.
But I (Adam) am the great Phœnix which is at On (Heliopolis),
The creator of beings and of existences."

From the Book of the Dead.

Now, the word *Athom* denotes in Egyptian, as it does also in Hebrew, the pronoun *them*. We, under the influence of the Hebrew tradition, recognizing the First Cause as one and male, designate the Most High as *He, Him;* but the Egyptians, holding as they did that the First Cause is bi-sexual, a multiplicity in unity, and a unity of totality, *an Elohim*, mentioned it reverentially as *They, Them — Athom.*

Many of the names recorded in the first ten chapters of Genesis as names of men are recorded on the Egyptian and Babylonian monuments as names of

gods or goddesses. What the Egyptians and Babylonians worshipped as divine principles governing social evolutions, the Hebrew philosopher and iconoclast mentions as actual men, and as human initiators of human institutions. Cain was a Phœnician goddess worshipped in Lower Egypt, where her sculptured nude figure is still extant on the monuments; and it is because of his masculine prejudices that the Hebrew philosopher perversely presents her as a male.* Seth was one of the great gods of Egypt; but the Egyptians, a little before the time of Moses, changing his name from Seth to Typhon, degraded him from his high rank. Seth became Sathan. Noah was the god of water and of the River Nile, and presided over the annual overflow of the streams; and so on. What was originally theology and theogony among the Egyptians, became afterwards, among the Hebrews (to whose apprehensions the Supreme was essentially One and Alone, neither begetting nor begotten) a simple philosophy of human history.

Society authentically intervenes, at the present time, in the contracting of marriages *by methods of law*, and, therefore, by the instrumentality of ministers *of law*, who may be either civil magistrates, or priests, or perhaps persons not clothed with definite public functions. But, in human societies where no proclaimed law as yet exists, the organic whole, which is the collective society, intervenes in contracts made by the individuals who compose it, through the simple

* A picture of Koun, Chiun, Cain, the *proprietress* of Heaven, and a form of *Ath*-or, — taken from the monuments of Lower Egypt, — is given on the 62d page of Sharpe's "Egyptian Mythology."

force of *public opinion.* Public opinion is *law* in its half-virtual, half-unfolded state; and of public opinion every member of the community is a minister.

Sir John Lubbock* says that the Hottentots are still living in the original Adamic condition, without making any conscious contradistinction between man and woman as husband and wife. He says that the Hottentot language has no word to express the difference between married and unmarried persons. The mere notion, or idea, of marriage has not yet dawned upon the Hottentot mind. Among the Nains of India, no one knows his own father, and every one looks on his sisters' children as his heirs: the only relationships recognized are those of the mother to her children, and of the children to their mother, and of the children of the same mother to each other. The Teehurs of Oude live indiscriminately in large communities. Page after page might be filled with extracts to this same purpose, all of them taken from the narrations of travellers.

Now, if the Hottentots would reflect and consider, and form intellectual conceptions, and give names to the ideal objects that might be born to their minds (a thing which the dumb animals are incompetent to do), and would then form special judgments respecting the validity of their conceptions, which judgments would be *opinions*, and afterwards compare their opinions, and find that an agreement in views existed among the Hottentots generally, that agreement would necessarily, and by the nature of the

* The Origin of Civilization, and the Primitive Condition of Man. By Sir John Lubbock, Bart., M.P., F.R.S.

case, assume the form of *public opinion.* And such public opinion would, in time, gather strength, and become competent — through the instrumentality of the persons influenced by it — to enforce itself. If the Hottentots would once think, their society would be silently and gradually transformed and transfigured by the operation of human thought; and they would become co-ordinated, by the sole force of that human thought, into a single community, having common aims and interests. Again: by the nature of the case, since no other fundamental social principle would naturally be known to it, the Hottentot society would find itself organized, at the first start, on the principle of "complex marriage," — the very basis adopted in New York for the Oneida Association. Every Hottentot man would become the *legitimate* (and no longer the unmarried) husband of every Hottentot woman; and every Hottentot woman would become the *legitimate* (not the unmarried) wife of every Hottentot man.

Sir John Lubbock says, —

"The key of the Hawaiian or Sandwich Island system is found in the idea conveyed in the word *waheena* (woman). Thus —

Waheena denotes { Wife. / Wife's sister. / Brother's wife. / Wife's brother's wife.

And all these are equally related to each husband: hence the word *kaikee*, denoting 'child,' also denotes the brother's wife's child, and no doubt the wife's sister's child, and the wife's brother's wife's child. So, also, as the sister is wife to the brother-in-law (though not to her brother), and as the brother-in-law

is husband to his brother's wife, he is consequently a father to his brother's children: hence *kaikee* also means 'sister's son' and 'brother's son.' In fact, *kaikee* and *waheena* correspond to our words 'child' and 'woman;' and there are apparently no words answering to 'son,' 'daughter,' 'wife,' or 'husband.' That this does not arise from poverty of language is evident, because the same system discriminates between other relationships which we do not distinguish. . . .

"When a woman is speaking, she calls her husband's brother's wife *punlua;* her husband's sister, *kaikoaka;* and her brother-in-law, whether sister's husband, or husband's brother, *kana*, i.e., 'husband.' When, on the contrary, a man is speaking, he calls his wife's sister and his brother's wife, *waheena*, i.e. 'wife.' . . . Thus a woman has husbands and sisters-in-law, but no brothers-in-law: a man, on the contrary, has wives and brothers-in-law, but no sisters-in-law. . . .

"Among the Todas of the Neilgherry Hills, when a man marries a girl, she becomes the wife of all his brothers as they successively reach manhood; and they also become the husbands of all her sisters as they become old enough to marry. . . . Of the Tottiyars of India, it is recorded that 'brothers, uncles, and nephews hold their wives in common.' So, also, according to Nicolaus, the Galactophagi had communal marriage, 'where they called all old men fathers, young men sons, and those of equal age brothers.'"

It would be useless to multiply citations.

The evolution of human society commenced in the institution of complex marriage. But we are informed by authentic historical documents, that, in the very early times, public opinion becoming more and more enlightened in certain favored communities, the women of those communities — sustained by that public opinion, and shocked and scandalized by the social condition in which they found themselves — were enabled to successfully revolt against complex

marriage, and to overthrow it. Strange as it may seem (and we will show, a little further on, how they managed to do it), the old-world women established a new social organization for the more advanced communities, and a new marriage-system, based on the ground of absolute female supremacy. In the new order of things, the husband became the subject of the wife; the woman was absolute owner of the homestead; property descended, and relationships were counted, exclusively in the female line; and the women seized and retained the principal share of political power. A story that is now going the round of the newspapers may be adduced here to illustrate the essential nature of the special society that was founded on the ruins of the primitive one by the old-world women. It is said that the female spiders weave their webs for themselves only; the male spiders weaving no webs, and having no homes of their own, but going around, calling from time to time on their lady-friends. The male spiders own, therefore, no real estate, and enjoy none of the privileges derived from possession of real property; since no real estate is known to them, except such as has been created, and already seized upon in perpetuity, by the female spiders. Curious observers, who have made a study of the habits and ways of these creatures, say that the female spiders outgrow, and shed, their skins, which are a sort of unyielding shells, not growing with the growth of their bodies. These observers aver, furthermore, that they usually find in the back part of the webs, among ancient relics, consisting of bursted spider-corsets, and of discarded spider-hoop-

skirts, the dried-up mortal remains of such unfortunate gentlemen-spiders as, through an error of judgment, have committed the indelicacy and indiscretion to call once too often on these savage proprietresses. We give the spider-story for what it is worth: it is not at all within our personal knowledge that the details of it are scientifically accurate. But that a state of society once existed among men and women, similar to the one that is said to obtain among the spiders, is a matter that can be demonstrated by the citation of authentic historical facts.

It may be objected that men are stronger than women, and that it is therefore impossible, in the nature of things, for women to overcome men, and to keep them in permanent subjection. But is it strictly true that men are stronger in all respects than women?

Men are stronger than women physically and intellectually; but, sentimentally, women are stronger than men. The old-world women obtained the upper hand of the men, neither by superiority of intellect, nor by the exertion of physical force, but by instinctively playing upon superstitions that have their root in the inmost nature of man. We will explain, and with such carefulness as we may have at command, the circumstances and conditions under which the women became enabled to acquire sovereignty over the men, and also the measures the women had recourse to for the accomplishment of their project; and we will confirm our exposition by express citations from historical writers.

Spontaneous and groundless terror has been ob-

served, in all countries, and in all ages, to be natural to man. The roughest and toughest soldiers and sailors blanch, become paralyzed, and tremble all over, when they conceive themselves to be in the immediate presence of ghosts. In the half-light of the evening, men sometimes see ghosts, or think they see them, and, until the delusion subsides, their hairs stand on end from the effect of what is called "religious horror." When, however, it is discovered that the material of the spectres consists of masses of foliage, flexible bushes, and boughs of trees, waving to and fro in the wind, white sheets hung out to dry, or the like, the "religious horror" ceases, and the ghosts are recognized to be no ghosts at all. Mistakes of apprehension, and injudicious conduct flowing from false estimates of existing facts, are human. The first sight of himself in a looking-glass, is, usually, to a savage, an unanswerable argument in proof of his own spiritual existence. Savages take note of their own dreams, and think they *know*, from actual experience, that, their bodies being motionless in sleep, their spirits visit distant places, making long journeys in an instant of time, and finding physical barriers no obstacles to their excursions. When a savage is visited in his dreams by a deceased parent or friend, the savage *knows* (or *thinks* he knows) that the visit is real, and that the parent or friend still exists. Such ancestors as still appear to savages in dreams are supposed by them to be yet alive; but such grandfathers as are no longer dreamed about, and especially such great-grandfathers, are supposed to have become extinct. Many of the older religions taught expressly

that the life of ancestors beyond the grave is prolonged by ceremonies that tend to keep alive the recollection of forefathers in the hearts of their children. Ask a savage negro, "Where is your grandfather?" and he will reply, "Don't know: his spirit has gone out — finished — done." But ask him where his father and brother are, who died recently, and he will immediately become full of trouble and terror, and will state his belief that they are near the place where their bodies are buried. There are many full-grown American citizens who ought to know better, and who do know better, that much prefer to hire some one to go through a lonely burial-ground for them at "low twelve," rather than to go through it themselves. That ghosts should wander abroad, "making night hideous," until they succeed in inducing some living person to expiate their crimes, and to bury their murdered and neglected bodies, and that they should then rest "in quiet" near the graves where their bodies lie mouldering, is something that is still within the range of our conceptions.

Among the half-savage tribes, each individual half-savage remembers ancestors who were half-savages — or, perhaps, three-quarter-savages — before him. He looks upon such ancestors as having been men in all points like unto himself. He wills to live always as his father and grandfather lived. Why? Because his father and grandfather, though dead, are nearer to him, and more present to his thoughts, and especially to his dreams, than any living persons outside the circle of his immediate family. He expects to live, in his dreams, with his father and grandfather in this

world ; and, in the world to come, he expects to live with them in the family grave. He fears, if he should adopt new opinions, or cultivate new manners, that the tie of sympathy between himself and them may become weakened ; that the ghosts of his fathers, appearing in wrathful forms, may fill his dreams with terror, rendering his nights intolerable ; and that he may find himself, hereafter, an alien from his ancestors in the world of the dead. He wills, therefore, to feel, in all things, as they felt, to think as they thought, to live as they lived, and to thus prepare himself to be received by them, in the underworld, as altogether one of themselves. It is on this deference to the memory of dead men and women, this continual sense of their spiritual presence, that the "worship of ancestors" is grounded; and the "worship" itself, at least in its higher forms, consists in the stated performance of such ceremonies as are found best adapted to perpetuate the memory of dead forefathers, and to confirm the existing sentiments of individual families.

Half-savages are godless : "They live without God in the world." Their ghost-gods are no real gods, but dead men. The half-savages are not atheists, because atheism is a conscious repudiation of the gods, implying a foregone knowledge of the gods, and is the fruit, if it appear at all, of a very advanced state of civilization. They are not atheists, but godless. Believers in ghost-gods believe also, and naturally, *in luck:* they believe each and every existing thing — even the things which civilized men call inanimate, and designate as mere matter — to be animated by a special soul

proper to itself. As a boy, who, playing at marbles with another boy, has his attention arrested by the fact that he wins several times running with a special marble, puts the marble aside as *lucky*, and for future use on critical occasions, making a *fetish* * of it, so the half-savage regards arrows that fail to reach their mark as unlucky, possessed of an unfriendly spirit, and fit only to be broken ; while he regards arrows that hit their mark as lucky, and animated by a friendly influence. To the minds of all men, existing friendship, manifesting itself in friendly acts, is something worthy of recognition and cultivation. Thus the half-savage feels himself to be in communion, not only with the spirits of dead men and women, but also with the spirits of all the animate, and of all the inanimate, things that surround him. This is the ground of the belief in gnomes and fairies. It is also the ground of confidence in omens, and of the belief in the possibility of divination by the practice of occult arts. But the greater part of the religion of half-savages grows out of their firm faith in the possibility of necromancy, of authentic and intelligible inter-communications between the living and the dead. Spirit-rappings and trance-mediums are as old as history. There seems to be some perennial root in man's nervous system, — or some other ground, be it what it may, in man's nature, — which causes spontaneous delusions to manifest themselves, always and everywhere, in substantially the same forms. An ignorant, illiterate "trance-medium," in giving an account of a spirit that had terrified her, described to

* A *fetish* is a *fairy* thing, a thing *bewitched*.

the writer, in the city of Boston, with exact precision, the old Egyptian Typhon, and in language profounder than that of the hieroglyphics as they are generally interpreted, and more picturesque than the pictures on the monuments. This description was not derived by magnetic thought-reading from the mind of the writer; for the woman was giving an account of a spirit she had seen some time before, when the writer was not present. Every day, unlettered American "mediums" are reproducing, with exact fidelity to ancient types, superstitions supposed to have been forgotten for ages. It is remarkable, that, in France, the strange characters written by so-called spirits in dark sessions are frequently exact reproductions of ancient but well-known (usually Egyptian) mystical symbols, and, when so, almost always of obscene, blasphemous, and diabolical import. Moses, to cure the Israelites of the "Religion of Spiritualism," which they had learned in Egypt, found it necessary, not only to utterly ignore the fact of the soul's immortality, but also to make express laws against "trance-mediums." The Witch of Endor followed an illicit calling. Moses says, "There shall not be found among you any one . . . that useth divination . . . or is an enchanter, or a witch, or a charmer, *or a consulter with familiar spirits*, or a wizard, *or a necromancer*." Isaiah says, "The spirit of Egypt shall fail in the midst thereof; and Jehovah will destroy the counsel thereof: and the Egyptians shall seek to the idols, and to the charmers, *and to them that have familiar spirits*, and to the wizards; and Jehovah will give them over into the hand of a cruel lord, and

a fierce king shall rule over them." It is written of Joseph's cup, "Is not this the silver cup in which my lord drinketh, and whereby indeed he divineth?" Joseph's divinings, and his dreamings, and his foretellings of future events, were things afterwards expressly prohibited under the law.

Isaac Taylor says,* —

"Customs prevailed among the Etruscans which are unknown among the Aryan races, *such as the tracing descent by the mother's side, and the addiction to the Ugric practice of sorcery.* . . . The belief which the Etruscan monuments express is the fundamental truth which has been the great contribution of the Turanian race to the religious thought of the world, — the belief in the deathlessness of souls. The cultus which they serve is the worship of the spirits of ancestors, which is the Turanian religion. The creed of the Turanians was Animism. They believed that every existing thing, animate or inanimate, had its soul or spirit; that the spirits of the dead could still make use of the spirits of the weapons, ornaments, and utensils which they had used in life, and could be served by the spirits of their slaves, their horses, and their dogs, and needed for their support the spirits of those articles of food on which they had been used to feed. . . . The Turanian tombs are family tombs: the dead of a whole generation are deposited in the same chamber. . . . There have been three great civilized tomb-building races; one in Africa, — the Egyptians; one in Asia, — the Lydians and Lycians; and one in Europe, — the Etruscans. . . . Much evidence as to the essential identity of the Egyptian speech with the Ugric languages has been adduced by Klaproth. . . . Facts tend to prove that the Etruscans and Egyptians were of kindred races. . . . No ruins of any Etruscan temples exist. Not less significant is the absence of any priesthood, properly so called. The personages who discharged sacred offices among the Etruscans were not the teachers of the

* Etruscan Researches. By Isaac Taylor. London: Macmillan and Co. 1874.

people or the servants of the gods : they were rather channels of communication with the spirits of Nature and the souls of the departed. They were neither presbyters, priests, nor prophets, but, strictly speaking, *shamans*. [They were MEDIUMS.] The religion of the Etruscans was distinctly shamanistic. They were distinguished among the nations of ancient Europe as being the chief if not the sole cultivators of the arts of augury, sorcery, and necromancy. . . .

"Among all the Turanian races, some 'survival' or 'superstition' may be detected, which suffices to indicate *the former prevalence of a condition of tribal* POLYANDRIA. . . . Survivals indicating the former existence of such a state of society are found universally among the Turanian races : they existed among the Etruscans, the Lycians, the Lydians, and the Medes : they are still found among the Lapps, the Samojeds, the Ostiaks, the Mongols, the Kalmuks, the Tunguses, the Kirghiz, the Turcomans, the Nogais, the Koriäks, the Aleutians, and the Esquimaux : they exist among most of the Turanian hill-tribes of India, and among all the Mongoloid tribes of North America. Such indications of the ancient practice of *polyandria* are rare among Aryan and Semitic peoples, and, when they are found, they may generally be accounted for by some infusion of Turanian blood. It would seem that the Aryans and Semites had outgrown the polyandrous condition of society at a period not very distant from that at which the separation from the Turanian stem took place. . . . The primitive community of women is still more plainly indicated by another, but less frequent survival, — *the usage of tracing descent through the mother, instead of through the father, and of regulating either the inheritance of property, or the descent of the rights of chieftainship, in the female instead of in the male line.* . . . Among the Nairs, Kasias, and other Turanian hill-tribes of India, property descends by the female line. Among the Iroquois and many other Mongoloid tribes of North America, this also is the rule. . . . Herodotus records that the Lycians, also a Turanian race, traced descent through the maternal line, to the entire exclusion of the paternal. . . . Herodotus informs us, that, among the Lydian damsels, public prostitution was considered a necessary

preliminary to marriage. From a chance phrase used by Plautus, it would appear that some not dissimilar custom prevailed, also, among the Etruscans. There can be no more certain evidence of a primitive primal polyandria than this singular survival, which was abhorrent to the Aryan instinct, but which, among the Lydians and Etruscans, must have been regarded as a sort of necessary and formal satisfaction of ancient tribal rights.

"In other respects, the position of the wife in Etruria was high. She was her husband's companion; at meals she took her place by his side at the same table; her children bore *her name;* her tomb was even *more splendid than that of her husband.* On the Lycian monuments, the honor done to the wife is equally conspicuous. Herein the Turanian analogy is followed, rather than the Aryan or the Semitic. *The exalted position of the wife in Rome, so different from her position in Athens, may be regarded as an inheritance from the Etruscans.*

"The Etruscans were conspicuously stubborn in temper, highly conservative in their disposition, and orderly in their habits. In this, also, there is an agreement with other Turanian races. The Turanian has none of the fickleness, versatility, and progressiveness, which are among the foremost defects and merits of the Aryan character. . . . It is not, perhaps, an unreasonable conjecture that *it was just the Turanian element incorporated by Rome which gave the Latin race its ultimate superiority over other Aryan nations*, and supplied the lacking element which was needed in the formation of a great ruling race. The fickle, emotional element of the Aryan character has almost always been an element of weakness in nations of pure Aryan blood. . . .

"Another element of ethnic affinity is the possession of the artistic faculty. This was developed to a surprising degree among the prehistoric Turanian occupants of the Aquitanian caves. It exists, also, among the modern Esquimaux. The Turanian nations are more especially characterized by their passion for vivid color. This is conspicuous in the ornamentation of Etruscan vases and tombs. The color is always brilliant, but never inharmonious. The primary colors are used

in the most daring manner; but the effect is never grotesque or glaring. . . . The suggestion may, perhaps, be allowed, that the art of modern Europe owes much to the hereditary transmission of the Etruscan instinct for forms and color. Geographically, ancient Etruria is modern Tuscany. The blood of the mediæval Florentines was probably Etruscan, with but small alien intermixture. It was at Florence that the arts instinctively revived at the earliest possible moment after the European cataclysm. . . . It may almost be affirmed, that, beyond the area once occupied by the Etruscan race, no colorist of the highest rank has ever been born. We may, perhaps, attribute something of the facile power and genius of these great artists *to hereditary instinct*, re-appearing at last, irrepressibly, after its long eclipse."

Sir J. G. Wilkinson's native Aryan prejudices prevent him from ever seeing, — although the evidences of the fact constantly obtrude themselves upon him in the chosen line of his own special studies, — that in certain races, and at certain times, the women have had the supremacy over the men, holding the men (and the men holding themselves) to be "the weaker vessels." He nevertheless says, in the second volume of his book about the ancient Egyptians: —

"If the authority of Diodorus can be credited, women were indulged with greater privileges in Egypt than in any other country. He even affirms that part of the agreement entered into at the time of the marriage was, that the wife should have control over her husband, and that no objection should be made to her commands, whatever they might be; but though we have sufficient to convince us of the superior treatment of women among the Egyptians, as well from ancient authors as from the sculptures that remain, it may fairly be doubted if those indulgences were carried to the extent mentioned by the historian,

or that command extended beyond the management of the house, and the regulation of domestic affairs. . . . In speaking of the duties of children in Egypt, Herodotus declares, that, if a son was unwilling to maintain his parents, he was at liberty to refuse, but that a daughter, on the contrary, was compelled to assist them, and, on refusal, was amenable to law. But we may question the truth of this statement."

Both Taylor and Wilkinson have the facts clearly before their minds; but neither of them takes in those facts in their full significance. The question is not an Aryan one of extraordinary privileges granted to women, but a Turanian one of female sovereignty, and of the correlative subordination of the men. Fabre d'Olivet,* who wrote before any of the inscriptions on Egyptian monuments and Babylonian bricks were satisfactorily deciphered and translated, had no adequate basis to found his theories upon; but, with a faculty of insight superior to that of Taylor and Wilkinson, he saw things that Taylor and Wilkinson refuse to recognize, and stated results that are now verified by modern discoveries. Fabre d'Olivet is, however, himself led astray by the existing prejudices of his own race, and cannot believe that marriage originated otherwise than in contracts by which one man bound himself to one woman exclusively, and, reciprocally one woman to one man. He bases marriage, just as it has been almost always based in modern times and in Christian countries, on the "affinity theory;" that is, on mutual consent grounded in natural attraction

* Histoire Philosophique du Genre Humain. Par Fabre d'Olivet. Paris, 1824.

and the recognized natural inter-adaptation of the parties to each other, each being the affectional complement and counterpart of the other; such mutual consent following upon a necessary prelude of courting and love-making, in which the fact of the "affinity" is authentically tested in respect to its genuineness. *No such theory was known to remote antiquity.* Fabre d'Olivet commits the error of placing the segregated sexual human couple at the beginning of the social evolution, instead of placing it, as he ought to have done, towards the end. Fabre d'Olivet looks, therefore, upon the epoch of female sovereignty, and of the political subjection of the men, as abnormal. The error of regarding the course and rut of human history as a continuous *fall* from a supposed original state of perfection that never existed, instead of regarding it as a continuous *progress* from an original state of disintegration and chaotic disorder towards such a state of perfection as is attainable by man, is one very hard to shake off. The golden age of humanity is not behind us, in the past: it is before us, in the future. Men and women were never so happy, or so well mated, as they are now; and, in the future, they will be happier and better mated than they are to-day. Things now regarded by us as intolerable defects in the existing marriage-relation, our ancestors would have looked upon as too trivial to demand special notice.

Fabre d'Olivet says that women, being weaker than men, and therefore more impressionable, take always the initiative in all movements of progressive civilization. To forecast, therefore, the immediate future, we must always, if we adopt his view, begin by studying

the existing thoughts and sentiments of the women. What the women are dreaming about to-day, the men will do to-morrow, or the day after. He says, that once upon a time, in the old prehistoric days, two Hermans (*head-men* of clans) stood facing each other, ready to engage in deadly combat. A woman sitting near by in a chariot, raising her eyes, saw before her a warrior of collossal stature, who said to her with a mighty voice, "Go down, Voluspa, and separate your husband and your brother, who are about to shed each other's blood. Tell them that I, the first Herman, the oldest hero of their clan, the conqueror of the swarthy races, stand ready to lead them, once again, against the dark-skinned peoples. I will march in a storm-cloud at the head of the warriors, and once again I will wet my spear with the blood of the enemy." The mission confided to the Voluspa was effectually accomplished. The chiefs heard and believed: they hastily harangued their clansmen, and the clansmen also believed. All started at once upon the expedition; and every thing turned out as the Voluspa had foretold. After the victory, the Voluspa, seating herself under an oak-tree, became mysteriously and inexplicably affected by the rustling in the wind of the oak-leaves over her head, and cried out that the spirit of the Herman was upon her. The clansmen gathered around her to hear what she had to say. Her eyes turned upward a little beneath their lids; then the lids drooped over her eyes; then she became pale and white, and all her members became rigid: were it not for convulsive twitchings of her hands and feet, she would have presented the appearance of a lifeless

marble statue. A sentiment of religious awe ran contagiously from heart to heart among the assembled clansmen. Then the Voluspa slowly, rhythmically, and musically, *but with a man's voice,* uttered these words: "March onward, ye clansmen of Herman. Fulfil your glorious destinies. Forget not Herman, your oldest chief; and, above all, reverence Teut-Tad, the All-Father." * Coincidently with that speech, a great nation was born, and also the arts of poetry and music.

The first result of the public worship that was organized to carry into effect the spirit of the above-mentioned revelations was to clothe the women with sovereignty, and to put the whole power of legislation into their hands. The faculty of interpreting the will of the ancestors was found to be possessed by a very great number of women. "Spiritual mediums" rose up everywhere; and, through them, the men received communications from the dead, in the guise of laws to be religiously obeyed by the living. A college of priestesses organized itself, and took the destiny of the nation into its hands. This college decreed that families should no longer live on the complex plan of tribal marriage, but should be composed of groups clustered around individual women; and, as a necessary part of this scheme, they decreed that homesteads should become fixed in place, and that lands belonging to homesteads should be definitely circumscribed. In short, these women established *polyandria,* and

* We entertain a suspicion that it was the "All-Mother," not the "All-Father," who was thus proclaimed by the Voluspa. There is probably an error here.

instituted *landed property* vested in the women. It was on this occasion that "real estate" first became known among the children of men.

Unfortunately, the civilization initiated by the "mediums" could not rise above the moral and intellectual level of the "mediums" themselves. Not knowing how to rule by the truth, and determined, at all hazards, to maintain their empire, they ruled by falsehood and lying. Soon, Teut-Tad, who was at first the common father of all men, became a capricious tyrant, and the first Herman became a mere savage god of war. The new religion was at once transformed into an abject superstition. The ghost-gods, the spirits of the ancestors, became actuated by all the suspicious and jealous passions of the "mediums." Orders were received from the spirit-world to bury alive, or to slay on the altars, in honor of Teut-Tad and of Herman, such persons as threatened to undermine, whether by precept or example, the supremacy of the priestesses. From Sweden and Iceland to Sicily, from the Caspian Sea to the Atlantic Ocean, men and women were religiously put to death. From Europe, the practice of human sacrifice passed to Africa, and from Eastern Asia to Mexico. The religion of witchcraft, of necromancy, of "spiritual communications," — by its nature allied, on the one side, to free-love and to a polyandric organization of society, and, on the other, to the profession of dangerous dogmas, and to bloody rituals of worship, — derived new virus from the rancors of wounded female vanity and alarmed female ambition. The disastrous results of the women's attempt, by weakness, to perform the works of force, hung for

centuries like a nightmare on the human race. No other superstition can be compared with this one of necromancy in the ability to hold, like a serpent, its victims motionless in its folds. As soon as a man really believes in witchcraft and in witches, every thing becomes to him an occasion for instinctive terror, and his intellect becomes paralyzed.

PLUTARCH — who, on account of his instinctive proclivity to note and record instances of Turanian "survivals," is a better authority in matters of the nature here investigated than he is in matters of direct chronological history — says, in his Life of Romulus, —

"The reason why Romulus and Remus left Alba to found the city of Rome was this: It had become necessary, on account of the great number of slaves and fugitives collected about them, either to see their affairs entirely ruined, if these should disperse, or with them to seek another habitation; for the people of Alba refused to permit the fugitives to mix with them, or to receive them as citizens. . . . As soon as the foundation of Rome was laid, a place of refuge was opened in it for fugitives, which was called the temple of the Asylæan God. Here they received all that came, and would neither deliver up the slave to his master, the debtor to his creditor, nor the murderer to the magistrate, declaring that they were directed by the Oracle of Apollo to preserve the asylum from all violation. . . .

"In the fourth month after the building of the city of Rome, as Fabius informs us, the rape of the Sabine women was put in execution. Some say Romulus himself, who was naturally warlike, and persuaded by certain oracles that the Fates had decreed Rome to obtain her greatness by military achievements, began hostilities against the Sabines, and seized only thirty virgins, being more desirous of war than of wives for his people. But this is not likely; for as he saw his city soon filled with inhabitants, very few of whom were married, the greater part

consisting of a mixed rabble of mean and obscure persons, to whom no regard was paid, and who were not expected to settle in any place whatever, the enterprise naturally took that turn; and he hoped, that from this attempt, though not a just one, some alliance and union with the Sabines would be obtained, when it appeared that they treated the women kindly."

The interpretation of these historico-mythical details is more easy to inquirers of the present day, in the light of recently-discovered archæological facts, than it was to Plutarch. The companions of Romulus were men who ran away, took to the woods, escaped by any available method whatever, from the rigors of a government administered by she hell-cats, termagants, and viragos; those rigors having become, in the process of time, intolerable. These runaways, establishing themselves in easily-defended fastnesses, distributed the lands surrounding them among themselves as "real estate," following out the lesson which the women had taught them. It was in this way that the title to "real estate" began to vest in men, to the exclusion of women, and to descend in the male, instead of the female line. The heads of the groups in this new society were males, and the members of the groups were also males. It was necessary, therefore, in order that the new society should become complete, that each male should steal a wife for himself from some neighboring tribe, and bring her home by force to the mountain fastness. The men did not fail to perform the special duty that devolved upon them. The case of Rome was not an isolated one. All over Europe, and all over Asia, men rose against the women, transferred the titles to land from

the women to themselves by actual force, dethroned the sovereign witch-women by whom they had been so long governed, and supplied themselves, with "CAPTIVE-WIVES." This new institution of the "captive-wife" gave occasion, in Europe, to the establishment of monogamy; in Asia, to that of polygamy. In some countries, the women defeated the men, and vindicated their supremacy: in others, the men were victorious; in yet others, the fortunes of war were doubtful, and compromises were made.

Plutarch says, in his Life of Theseus,—

"The war of the Amazons against Athens was no slight or womanish enterprise. . . . It is difficult, indeed, to believe (although Hellenicus affirms it) that the Amazons crossed the Cimmerian Bosphorus upon the ice; but that they encamped almost in the heart of Athens is confirmed by the names of places, and by the tombs of those that fell. There was a long pause and delay, before either army would begin the attack. . . . The battle was fought in the month Boëdromion, the day on which the Athenians still celebrate the feast called "Boëdromia." Clindemus, who is willing to be very particular, writes that the left wing of the Amazons moved towards what is now called the Amazonium, and that the right extended as far as the Pynx, near Chrysa; that the Athenians first engaged with the left wing of the Amazons, falling upon them from the Museum; and that the tombs of those that fell in the battle are in the street which leads to the gate called "Piriaca," which is by the monument erected in honor of Chalcodon, where the Athenians were routed by the Amazons, and fled as far as the temple of the Furies; but that the left wing of the Athenians, which charged from the Palladium, Ardettus, and Lyceum, drove the right wing of the enemy to their camp, and slew many of them; that, after four months, a peace was concluded by means of the Amazon Hippolyte. This is what is most memorable in the story of the Amazons . . . and it is

not to be wondered, that, in accounts so very ancient, history should be uncertain."

It would appear, from this story, that, at some time in remote antiquity, the Turanian principle, represented by the Amazons, and the Aryan principle, represented by the Athenians, fought out their quarrel in actual pitched battle, in the streets of Athens; and that the Turanian principle was defeated by force of arms, and definitively put down. Things did not so fall out at Rome. The Romans, who were fugitives from neighboring Estruscan communities, did not succeed for several generations, in entirely shaking off the Etruscan yoke. In Athens, therefore, where the women were completely conquered, they were consigned to lives of utter seclusion; but in Rome, a compromise was reached, and the women retained the more valuable of their ancient prerogatives. These observations are in confirmation of the remark of Taylor, that "the exalted position of the wife in Rome, so different from her position in Athens, may be regarded as an inheritance from the Etruscans."

Plutarch says, —

"When the Sabines, after the war, became reconciled, conditions were obtained for the women, that they should not be obliged by their husbands to do any other work besides spinning. . . . Many honorable privileges were conferred upon the women, some of which were these: that the men should give them the way whenever they met them; that the men should not mention an obscene word, or appear naked, before them; and that, if a woman should kill any person, she should not be tried before the ordinary judges. . . . It is a custom still observed among the Romans, for the bride not to go over the threshold of

her husband's house herself, but to be carried over, because the Sabine virgins did not go in voluntarily, but were carried in by violence. Some add, that the bride's hair is parted with a spear, in memory of the first marriages being brought about in a warlike manner."

Sir John Lubbock says, —

"The custom of lifting the bride over the doorstep, which obtained among the Romans, exists now among the Redskins of Canada, the Chinese, and the Abyssinians."

In the course of the centuries, the Turanian women themselves recognized that their condition as sovereigns and tyrants over the men, entailing upon them the hatred of the men, was less desirable than that of the petted "captive-wives" of their Aryan neighbors. From this recognition, a new form of marriage sprang up. Multitudes of Turanian women, everywhere, acting individually, and of their own spontaneity, gave themselves as "captive-wives," with their property-rights, and all that they had, to such men as they preferred to obey as husbands. This they did without other motive than that of affection, and out of a regard to their own supposed interests. A peaceful revolution spread its waves gradually over a great part of Europe and Asia; and the status of the women became changed. This revolution was the prelude of another. The men, moved by the generosity of the women, entered into special contracts with them; the terms of each contract so running, that the woman gave up all her rights into the hands of her husband, and became his absolute "captive-wife;" and, at the same time, the man gave up all his rights into the hands of his wife,

and became her absolute "captive-husband." Thus, by means of these contracts, the fact that the man and the woman had reciprocally captured each other was recognized, and the marriage-relation took a form which involved the mutuality and equality of the parties contracting it.

A still more astonishing step in advance was made, subsequently, in Christian countries. The bride and groom, kneeling before the altar, and in the presence of the Creator and Preserver of all things, gave themselves unreservedly to each other, and for life, with solemn oaths; thus transforming the marriage-covenant into a religious sacrament. Marriage had, all along, in the older times, been accompanied by ceremonies, and often by ceremonies of a religious character; but never, except in Christian countries, has marriage assumed the form, in the full meaning of the word, of a veritable SACRAMENT. This is the loftiest ascension into the heaven of pure sentiment, that contracting men and women have ever yet been able to make.

The original "captive-wife" was no slave; for she retained the right to be lawfully rescued by her kinsmen, and also the right of insurrection. Her insurrection was punishable, if unsuccessful, as rebellion, but not as treason. She was held captive by the sole law of the strongest, and as a prisoner of war. Again: the woman who gave herself, by voluntary contract, to be a "captive-wife," was held by her contract only, of whose terms she had the same right to judge that her husband had (and her husband the same right that she had); and she could break the contract by accepting the penalties attached to a vio-

lation of it. She, also, was no slave. What is it to be a voluntary slave? It is to undergo a captivity that subsists not only in fact, but of acknowledged right also; which is legitimate through the legitimacy of the principle in which it is grounded; and which imposes upon the captive *a duty* — recognized as such by the slave himself — to remain a slave, and even, if necessary, to rivet his own chains by the exercise of virtues proper to slaves. The Christian wife becomes, through her own free act, by the tenor of the sacrament, the voluntary slave of her husband, and, reciprocally, the Christian husband becomes the voluntary slave of his wife.

The defect (if it be a defect) of Christian marriage is patent. It is this: no human ingenuity has ever yet sufficed to bring the terms of the contract, in its totality, as determined by the sacrament itself, within the limits of possible legislation.* The definition of the wife's condition, as given in the English law-books, contains all the elements of a definition of domestic slavery. But the definition of the husband's status, as given in the same law-books, is that of a lord, not that of a slave. If English law should make the husband to be as much the slave of the wife as the wife is the slave of the husband, the entire civilization of England would, at once, become

* "The husband is the head of the wife, even as Christ is the head of the church. . . . Therefore, as the church is subject unto Christ, so let the wives be to their own husbands in every thing. . . . We are members of *Christ's* body, of *his* flesh, and of *his* bones. For THIS cause shall a man leave his father and mother, and shall be joined unto his wife, and they two shall be one flesh. THIS IS A GREAT MYSTERY; but I speak concerning Christ and the church." — EPH. v. 23–32.

paralyzed. No Englishman, subjected by law to his wife in the same manner that his wife is legally subjected to him, could do English business. This difficulty is radical and insuperable. The sacramental ideal is utterly impracticable in law. It cannot be brought down out of the region of religious abstraction, and be legally embodied in life; and the impossibility does not flow from the perversity of the men, but inheres in the nature of things.

American legislation is more absurd than that of England. The laws of Massachusetts recognize the sacramental subjection of the wife to the husband, and make her his slave, calling on her to exercise towards him the virtues of a slave; and, at the same time, those same laws secure her in the separate enjoyment of her individual property, giving her the exclusive control of her own earnings, making her practically independent of her husband; while they maintain against the husband the duty of providing for the wife's support in a style conformable to her condition, and furnish the wife with opportunities to enforce her claims to the fullest extent by regular methods.

Life under the stipulations of the marriage sacrament *is experimentally possible;* but such life is not secular life. It belongs not to this world, and may be, perhaps, a foretaste of the world to come. It is like the life of monks and nuns, a religious life, and one outside of the *natural* condition of human existence on the earth.

It is written, —

"And Jehovah Elohim caused to fall a deep sleep (Heb. — *rdm*) upon the collective man (Heb. — *Adam*); and he slept.

And (Jehovah Elohim) took one from his (*Adam's*) constituent principles (Heb. — *tzelo*, the rafter of a house, the rib of a man, or of a ship, any essential constructive element); and Jehovah Elohim built the constructive element which he took out from the man (*Adam*) into a woman (Heb. — *Asha*). And he brought her to the man (*Adam*), and the man (*Adam*) said, This time it is bone from my bones, and flesh from my flesh: * in respect to this she shall be called woman (Heb. — *Asha*), because out of man (Heb. — *Aish*) she was taken. Upon this shall a man (*Aish*) leave his father and his mother, and shall cleave to his woman; and they shall be one flesh. And they were both of them, the man and his woman, naked" (Heb. — *orm*, subtle, virtual, potential only, naked: *the snake* was, however, more virtual, potential, naked, *subtle — orm* —than they were);" and they were not ashamed."

We are translating as literally as we know how.

"*A deep sleep.*" An ecstatic trance, a magnetic slumber, full of dreams and inspirations, fell upon the collective man, upon Adam. Mankind, living in complete promiscuity, in utter ignorance of the very notion of marriage, underwent a religious transformation. A religious public opinion was formed among men. A distinction was drawn, involving an idea of marriage between the husband and wife; and the husband and wife "*were called by their names*" as such, in human language. This was the transition from no marriage at all to complex marriage.

"*For this cause shall a man leave his father and his mother, and shall cleave unto his wife.*" The idea here expressed is Turanian, and not Aryan. It involves a declaration of the woman's superior right, and

* The Bereshith does not say, "Bones from *Christ's* bones, and flesh from *Christ's* flesh." The version of Saint Paul is far in advance of the one given in the Bereshith.

of the man's duty to see to it that his woman and her immature children are properly supported and cared for. "Jehovah hateth putting away." The woman (*Asha*) makes no correlative counter-declaration: she does not say, "For this cause shall a woman leave *her* father, and *her* mother, and cleave unto *her* man." Thousands of years elapsed between the making of this speech of Adam, and the utterance of the correlative speech of Ruth, the Moabitess, who said, "Whither thou goest, I will go; and where thou lodgest, I will lodge: thy people shall be my people, and thy God my God: where thou diest, will I die, and there will I be buried." And even this last speech is devoid of a recognition that the man's right in marriage is parallel with that of the woman; for these words were spoken, not by a wife to her husband, but by a widow to her mother-in-law. The Bereshith is either utterly unintelligible, or else absurd, to the average Aryan reader, for the reason that the Aryan reader instinctively reads into it ideas that were not at all present to the mind of the writer of it, who describes, not an Aryan, but an exclusively Turanian, phase of society.

It is also written, —

"And the woman saw that the tree was good for food, and that it was a desire to the eyes, and that the tree was to be desired for causing to understand, and she did eat, and she gave also to her husband with her, and he did eat; and the eyes of both of them were opened, and they knew that they were naked."

What was this forbidden fruit? It was no apple. The serpent, "the most naked of all the beasts of the

field," said to the woman, "God doth know, that, in the day of your eating of it, your eyes shall be opened, and ye shall be as gods, knowing" (Heb. — *ido*, *handling*, knowing by personal and practical experience) "good and evil." The woman, who always takes the initiative in the march of civilization, was tempted, by her aspiration for independence, to assume the responsibility of her own actions, to live from herself, to take her destinies into her own hands, to become, "like the gods," self-centred. The man, under her direction, was willing to take his share in the responsibility. The (so-called) *fall* of *Asha* and of *Aish* was a fall upwards, an advance of civilization. *Asha* became *Eva*, the *responsible* "mother of all the living." *

It is written, moreover, —

"And the man said to Jehovah Elohim, The woman whom thou gavest me to be with me, she gave me of the tree, and I did eat."

A naval officer of very high rank once told the writer of this paper, over a bottle of champagne, the following story, but without vouching for its complete authenticity. An illustrious American commodore, being without an official chaplain, and desiring to have Sunday services on board his ship, concluded to conduct them himself. He assembled the officers and sailors on the quarter-deck, reverentially took off his cap, laid it down, opened the Bible at the third chapter of Genesis,

* "When E-va shall have become A-ve, the human race will have been redeemed." — BAADER.

and began to read. When he came to the passage we have now under consideration, he stopped, laid down the Bible, put on his cap, drew his sword, and said, "If I thought I had a drop of that old sneak's blood in me, I would let it out with this sword. A man who would go back on a woman is not fit to be the father of the human race." Then, in token of his firm faith that he had not a single drop of Adam's blood in his veins, he put back his sword into its scabbard. After that, he again took off his cap, took up the Bible, and went on with the services. Now the brave commodore had more of the old Adam in him than he thought. Adam did not blame himself for being tempted; neither did he blame Eve for tempting him. It was in the nature of both of them to do just what they did; and Adam knew it. Adam was no sneak. He never went back on Eve. Nobody has any call to be ashamed of him. The main force of the passage is to be found in the emphasis that ought to be laid on the pronoun, *thou*. Adam said, "The woman whom THOU gavest to be with me, she did tempt me," &c.

It is written, furthermore, —

"And Adam knew Eve, his wife; and she conceived, and bare Cain (Heb. — *Kin*, property, possession); and she said, I have possessed (Heb. — *kanithi*, I have gotten, I have acquired) a man, the personality of Jehovah."

All this is distinctly Turanian. The personality of Cain is the symbol of the original institution of property; and property was originally instituted by the

woman, who proclaimed it as the manifestation, among men, of that power which in its essential nature is self-centred and limitless. The name Kain, under the forms Khan, King, became, in later times, a title of royalty among the Turanians. We read, in the fourteenth chapter of Genesis, that "Abram said to the king of Sodom, I have lift up my hand unto the Lord, the most high God (Heb. — *Elion*, a god then worshipped in Tyre and Sidon), *the possessor* (Heb. — *knh*, the proprietor, the owner in fee-simple) of heaven and earth, that I will not receive from thee any thing that is thine." It is a remarkable trait in Abram's character, manifesting the liberality of his sentiments, that he should not only be willing to swear by a Canaanitish god, the planet Saturn, whose orb is the furthest removed from the earth, but should also be willing to take his oath in the presence of Melchizedek, king of Salem, "priest of Elion," and pontiff of Sodom and Gomorrah.

These remarks and citations might be almost indefinitely extended; but our pages afford no space for a detailed commentary on the Book of Genesis.

The sacramental marriage, whether sanctioned or not sanctioned by positive law, finds no ground to stand upon in the Bereshith; and, *as sanctioned by law*, it finds no ground to stand upon in the New Testament. The Master said, "Swear not at all;" and no exception in favor of the marriage-oath is made. Sacramental marriage is outside of the normal conditions of human society: it is supernatural; and the jurisdiction over it belongs solely to the Church, to the absolute exclusion of the State. Un-

der the Jewish system, a man could go to the gate of his city, and there, in the presence of the elders, by the ceremony of having his ear bored through with an awl, constitute himself the voluntary slave of another man. Under the Christian dispensation, no man can rightfully make himself, by any process cognizable before the civil courts, a voluntary slave. The Christian has duties which he owes to his Maker and to his Saviour; and those duties, in order that they may remain valid, require the continued possession, on his part, of the natural faculties and abilities with which his Creator endows him. Rights and duties are correlative. There are no rights without duties, and no duties without rights. If a man abdicate his natural rights, he abdicates his ability to perform the duties he owes his Maker; and that is the precise thing which no Christian is competent to do. No man can abdicate his duties. No man can rightfully repudiate his own conscience; neither can he, by any foregone act, mortgage his conscience in the future. He can, in his contracts, mortgage *things*, and, if he fail to keep his contract, abandon the *things* mortgaged; but he cannot rightfully mortgage *his person*. "Real" contracts are lawful; but "personal" contracts, made under the sanctions of civil law, are unlawful to Christians. Every Christian is a member of "the mystical body" of Christ. "He is Christ's, and Christ is God's." The personality of a Christian is not his own to mortgage. Sacramental marriage, *existing under the sanction of civil law*, is anti-Christian. The military oath whereby an enlisting soldier binds himself to become, for a term of

years, and within defined limits, the voluntary slave of his military superiors, is anti-Christian. The contract of debt, wherein the debtor mortgages his own body as a guaranty for the payment of money, is anti-Christian. Imprisonment for debt, wherever it exists, is a relic of barbarism. The divorce of the State from the Church involves an absolute withdrawal of legal sanction from all contracts that are strictly "personal" in their nature.

The efforts of Massachusetts legislation to reconcile this world with the world to come — by the mixture of incongruous things, that refuse to mix, for the very reason that they are incongruous — have led to curious results. It is a fact, that Massachusetts law clothes the relation of single men to their kept-mistresses with all the real attributes of legal marriage. The parties make their own contract for a union dissoluble at will; and the State recognizes the contract by legally regulating the conditions and the consequences of it. In the seventh section of the seventy-second chapter of the General Statues of Massachusetts, legal provision is made for coercing the father of a bastard child to assist the mother in maintaining it. By the second section of the ninety-first chapter, a bastard, or its lawful representatives, is made to inherit from the mother and maternal ancestors; and, by section third, the mother (and not at all the father) inherits from the bastard. Thus the bastard belongs in every way to the mother, and in no way to the father. Furthermore, since the woman does not deed away her liberty and her personality in any contract of sacramental marriage, or in any legal

simulacrum of such contract, she retains all her property rights. The domicile is hers, not the man's. Whatever watches, other jewelry, pianos, furniture, or the like, the man gives her are hers; and, if she quarrel with her man, he cannot recover back the presents he has made her. Of course, she has no claim upon the property of the man, but whatever her man gives her, by putting it into her domicile, belongs to her; and her earnings otherwise acquired belong also to her. He has no claim on her earnings, unless she gives them to him; and conversely, &c. The man gives his woman her dowry at or before the moment of marriage, and at subsequent times as she may prevail upon him, not at his death. She neither inherits from him, nor he from her, except by will. This is the precise form of marriage that the marriage-reform agitators are contending for. They aspire to a new marriage-relation, in which (1) the contract shall be determinable at will; (2) the property of the household shall remain with the woman at the termination of the marriage; (3) the children shall belong to the mother only; and (4) the mother and children shall have a definite status sanctioned by law. We are informed that these four are the points made by such of the free-lovers as go for a transformation, and not for the abolition, of marriage.

This form of marriage obtains, to a considerable extent, in the community as it stands to-day; and it would obtain still more largely, were it not for laws which have been expressly enacted against fornication, and, especially, were it not for the apparently

invincible persuasion of all Aryan women, that Turanian marriage is, by its inherent nature, incurably disreputable. But what would the courts do, in the case that exceptional young couples, of unimpeachable standing and reputation, should rise up, and claim the right to live together on the Turanian plan? (All things are possible in New England, and in the nineteenth century.) Especially, what would the courts do, if these young couples should base their claims on strictly religious grounds? The eleventh amendment of the Massachusetts Constitution says, "No subordination of any one sect or denomination to another shall ever be established by law." Now, if one sect believes, or if many sects believe, that religion requires marriage to be for life, and another sect believes, on religious and moral grounds, that it is wicked to put all people, whatever may be their religious convictions, under the alternative of either not marrying at all, or of marrying for life, where is the constitutionality of the law which subordinates the religious belief of one sect to the religious beliefs of other sects, and forces members of one denomination, under severe penalties, to marry in a way against which they have conscientious scruples? With what show of justice could the courts punish, with fine and imprisonment, parties living in such a way that fornication and bastardy, through their example, become respectable? There are, probably, many couples now living together in Boston, who are ready to make with each other the contract of sacramental marriage, subject to ecclesiastical penalties, but are unwilling to enter upon it, if it is to be inter-

preted and enforced by the secular courts.* Many couples affirm that the secular penalties, so far from securing the permanency of marriages, are the main cause of the existing frequency of divorce.

We do not profess ourselves competent to answer all these questions. We have our own solutions, such as they are, which we may, at some future time, give to the public; but we refrain from offering them here. We take the liberty, however, in concluding our remarks, to draw attention to the following facts. The silent logic of actual events, and the spoken logic of the reformers, are undermining the New-England traditional theory of marriage; the existing facilities for divorce give impetus to the destructive movement; the women are beginning to hold their property separately, in their own hands, and are becoming every day more and more independent of the men; and the civilization of Massachusetts is now drifting, not secretly and slowly, but noisily and rapidly, in the Ugro-Finnic direction.

* "No man is justified by the law in the sight of God" (*Gal.* iii. 2). "As many as are of the works of the law are under the curse" (*Gal.* iii. 10). "But Christ hath redeemed us from the curse of the law" (*Gal.* iii. 13). "Christ hath abolished in his flesh the enmity, even the law of commandments contained in ordinance" (*Eph.* ii. 15). "Avoid foolish questions . . . and strivings about the law, for they are unprofitable and vain" (*Tit.* iii. 9). "Dare any one of you, having a matter against another, go to law before the unjust, and not before the saints? Do ye not know that the saints shall judge the world? . . . Know ye not that ye shall judge angels? . . . I speak to your shame. . . . Now therefore there is utterly a fault among you, because ye go to law one with another" (1 *Cor.* vi. 1–7). "Received ye the Spirit by the works of the law? . . . Having begun in the Spirit, are ye now made perfect by the flesh?" (*Gal.* iii. 2–3). "Christ is the end of the law for righteousness to every one that believeth" (*Rom.* x. 4). "Whosoever among you is justified of law is fallen from grace" (*Gal.* v. 4).

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